

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EST. OF JOHN McINTYRE, et al.,
Plaintiffs,

V.

UNITED STATES OF AMERICA, et al.
Defendants.

DOCKET NO: 2857

01-CV-10408-RCL

(Consolidated Cases)

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U.S. DISTRICT COURT
DISTRICT OF MASS.
Cases)

**DEFENDANT LAWRENCE SARHATT'S
MOTION FOR JUDGMENT ON THE PLEADINGS
BASED ON THE STATUTE OF LIMITATIONS**

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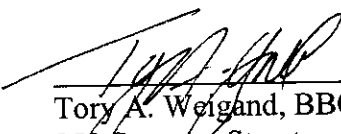
Counsel for Consolidated Individual Defendant Lawrence Sarhatt
(Defendant in Litif, Davis and Donahue actions)

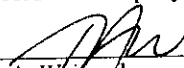
NOW COMES, individual defendant, Lawrence Sarhatt, and hereby moves for the entry of judgment on the pleadings pursuant to Rule 12 of the Federal Rules of Civil Procedure. As grounds for this motion, defendant Sarhatt states that he has been named as an individual defendant in the Litif (C.A. No. 02-11791-RCL); Davis (C.A. No. 02-11911-RCL); and Donahue (C.A. No. 01-10433-RCL) consolidated actions and that the claims are barred by the applicable statute of limitations. Defendant Sarhatt relies upon and incorporates by reference the Consolidated Memorandum of Law in Support of Individual Defendants' Motions to Dismiss or Judgment on the Pleadings on Statute of Limitations being filed herewith.

WHEREFORE, individual defendant, Lawrence Sarhatt, respectfully requests that his Motion for Judgment on the Pleadings in the Litif (C.A. No. 02-11791-RCL); Davis (C.A. No. 02-11911-RCL); and Donahue (C.A. No. 01-10433-RCL) be **ALLOWED**.

Respectfully Submitted,
The Defendant
LAWRENCE SARHATT,
By his attorneys,

MORRISON, MAHONEY & MILLER


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I hereby certify that a true copy of the
above document was served upon the attorney
of record for each party by mail on 7/7/03

Tory A. Weigand